



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 307 OF 2024

Vedant s/o Ratnakar Pande V/s State of Maharashtra.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. M.V.Rai, counsel for the applicant.

Mr. U.R.Phasate, APP for the non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 03/05/2024.

1. Apprehending arrest at the hands of police, in connection with Crime No. 1417/2023 registered with Police Station Wardha (City) District Wardha for the offence punishable under Sections 143, 147, 148, 307, 452, 427, 504, 506 read with Section 149 of the Indian Penal Code, 1860, and under Sections 4 and 25 of the Arms Act, the present applicant approached this Court for grant of pre-arrest bail.

2. Learned counsel for the applicant submitted that the applicant is apprehending arrest at the hands of the Police, as the accusation is made against him and other co-accused. On the basis of report lodged by Purushottam Pusdekar alleging that in the intervening night of 05/11/2023 to 06/11/2023, the present applicant alongwith other co-accused entered in the house and pelted stones and bricks on the gate of their house and caused damage to his house worth of Rs. 10,000/-. Learned counsel for the applicant submitted that as far as the present applicant is concerned, his name is not mentioned in

the FIR and merely on suspicion, subsequently his name is implicated, as far as custodial interrogation is concerned which is not required, as no overtact is attributed to him. In view of that, he be protected by granting ad-interim anticipatory bail.

3. Learned APP submitted that he is having the case diary and the case diary shows that the present applicant is identified and he was the member of the unlawful assembly and at the time of the incident, he was also present. Considering the role attributed to the present applicant, the application deserves to be rejected.

4. Having heard learned counsel for the applicant and learned APP for the State, perused the investigation papers. Admittedly, the name of the present applicant is not mentioned in the FIR but from the case diary, it reveals that he was the member of unlawful assembly. Admittedly, no specific role is attributed to him in the said crime, as far as the custodial interrogation is concerned, as no over-tact is attributed, custodial interrogation which is not required. In view of that, he can be protected by granting ad-interim protection. Accordingly, I proceed to pass the following order:

- a) In the event of the arrest, in connection with Crime No. 1417/2023 registered with Police Station Wardha (City) District Wardha for the offence punishable under Sections 143, 147, 148, 307, 452, 427, 504, 506 read with Section 149 of the Indian Penal Code, 1860, and under Sections 4 and 25 of

the Arms Act the applicant shall be released on anticipatory bail on executing P.R. bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

- b) The applicant shall attend the concerned Police Station as and when required and shall cooperate with the investigating agency.
- c) The applicant shall not induce, threat or promise any witnesses, who are acquainted with the facts of the present case.

The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]